## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA EASTERN DIVISION

No. 4:15-CV-106-FL

THOMAS E. PEREZ,

SECRETARY OF LABOR,

MINE SAFETY AND HEALTH

ADMINISTRATION (MSHA),

on behalf of FRED MCKINSEY,

Plaintiff,

v.

PRETTY GOOD SAND COMPANY,

INC.,

Defendant.

Upon motion, request, and proper showing by attorney for Plaintiff, United States of America, the above-named Defendant having failed to appear, plead, or otherwise defend as provided by Rule 55 of the Federal Rules of Civil Procedure, default is hereby entered against said Defendant.

This the  $28^{+}$  day of October, 2015.

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JULIE RICHARDS JOHNSTON, Clerk

United States District Court